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AUG 28 2020

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PRO SE OFFICE

DASHAWN HAWKINS,

Petitioner,

v.

19 Civ. 867 (GHW)

16 Cr. 691 (GHW)

UNITED STATES OF AMERICA,

Respondent.

REQUEST TO SUPPLEMENT
TITLE 28 U.S.C. § 2255 MOTION

COMES NOW, Petitioner, Dashawn Hawkins, pro se, and files this Request to Supplement his Title 28 U.S.C. § 2255 Motion, according to Civil Procedure Rule 15, in relation back to his original claims. Petitioner is a layman of the law, unskilled in the law, and, due to the COVID-19 prison lockdown, he has no access to applicable Case law or Court Rules. Therefore, Petitioner asks that this Request be construed liberally. Haines v. Kerner, 404 U.S. 519 (1972).

Petitioner does not present a new claim in this Request to Supplement. Petitioner recently discovered additional case law and information about the drug Diphenhydramine that supports

his original claim; that the drugs distributed to Cameron, the victim, was not independently sufficient cause of death, because the drugs use was not the but-for cause.

CONCLUSION

The drugs distributed by Petitioner is not independently sufficient cause of the victim's death and Petitioner can not be held liable under 21 U.S.C. § 841(b)(1)(C) unless such use is a but-for cause of death. Counsel was ineffective, in violation of the Sixth Amendment of the U.S. Constitution, and granting this Request to Supplement would allow Petitioner to further support his original claim in his Title 28 U.S.C. § 2255 Motion.

8/19/2020

Date

Respectfully Submitted,

Dashawn Hawkins

Dashawn Hawkins

Reg. # 78241-054

C-3 Coleman FCI Medium

P.O. Box 1032

Coleman, FL 33521

CERTIFICATE OF SERVICE

I, Dashawn Hawkins, HEREBY CERTIFY that a true and correct copy of the foregoing Request to Supplement has been furnished, via the United States Postal Service, this 19th day of August, 2020, to:

Clerk of the Court
U.S. District Courthouse
500 Pearl Street
New York, NY 10007

8/19/2020

Date

Respectfully submitted,
Dashawn Hawkins

Dashawn Hawkins

Reg. # 78241-054

C-3 Coleman FCI Medium

P.O. Box 1032

Coleman, FL 33521-1032

Dashawn Hawkins
Reg # 78241-054 Unit C-3
Federal Correctional Complex -
Gulfport Medium
P.O. Box 1032
Coleman, FL 33521-1032

The Court acknowledges receipt of Plaintiff Dashawn Hawkins's request to supplement his motion (ECF No. 38 in 19cv867 and ECF No. 108 in 16cr691) and third supplement (ECF No. 39 in 19cv867). The Court will consider his submissions when it analyzes Mr. Hawkins's Motion to vacate, set aside, or correct his sentence. (ECF No. 1 in 19cv867).

The Clerk of Court is respectfully directed to close ECF No. 38 in 19cv867 and ECF No. 108 in 16cr691, update Mr. Hawkins's address to the address below in both cases, and mail a copy of this Order to Mr. Hawkins at the address below.

Dashawn Hawkins
Reg. # 78241-054
C-3 Coleman FCI Medium
P.O. Box 1032
Coleman, FL 33521

SO-ORDERED 9/1/2020


SARAH L. CAVE
United States Magistrate Judge

Pro Se Intake
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Clerk of the Court
U.S. District Courthouse
500 Pearl Street
New York, NY 10007



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